

Report Date: December 17, 2015

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Dec 17, 2015**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Rogelio Zaragoza

Case Number: 0980 2:10CR02011-EFS-1

Address of Offender: [REDACTED], Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: August 4, 2010

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 57 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ben Seal

Date Supervision Commenced: March 23, 2015

Defense Attorney: Alex B. Hernandez, III.

Date Supervision Expires: January 22, 2018

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 06/18/2015, 06/25/2015, 08/17/2015, and 12/11/2015.

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Standard Condition # 3: The offender shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On December 10, 2015, this officer spoke with Mr. Zaragoza at his residence. This officer asked Mr. Zaragoza if he has been communicating with Jason Garcia, date of birth September 26, 1989, also known as "Convict". Mr. Zaragoza denied having any contact with Jason Garcia. On December 11, 2015, this officer received a photo of Mr. Zaragoza standing next to Jason Garcia. Jason Garcia is a convicted felon and known gang member. Jason Garcia was released from the Washington State Department of Corrections (DOC) in August 2015, after serving 102 months in prison. On December 11, 2015, Mr. Zaragoza admitted having contact with Jason Garcia after Mr. Zaragoza was shown the photo of him standing next to Mr. Garcia.

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8 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: Mr. Zaragoza spoke with convicted felon and gang member, Benson Delfino on October 2, and 23, 2015; and on November 5, and 30, 2015. Benson Delfino is currently in DOC custody for second degree murder.

9 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: Mr. Zaragoza spoke with convicted felon and known gang member, Jeremyah Parras, on October 8, and 25, 2015; and on November 8, and 29, 2015, as well as December 5, 2015. Jeremyah Parras is currently in DOC custody for second degree murder.

10 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: Mr. Zaragoza spoke with convicted felon and known gang member, Armando Lopez, on November 3, 6, 21, and 29, 2015. Armando Lopez is currently in DOC custody for seven counts of first degree assault and drive-by shooting.

11 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On November 3, 2015, Mr. Zaragoza spoke with convicted felon and known gang member, John Castillo. John Castillo is currently in DOC custody for first degree assault.

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12 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On November 12, 2015, Mr. Zaragoza spoke with convicted felon and known gang member, Juan Sanchez-Oregon. Juan Sanchez-Oregon is currently in DOC custody for first degree robbery and possession of a controlled substance.

13 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Standard condition #9: The offender shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On November 24, 2015, Mr. Zaragoza spoke with convicted felon and known gang member, Joshua Perez. Joshua Perez is currently in DOC custody for second degree assault with a deadly weapon.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 17, 2015

s/Phil Casey

Phil Casey

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

December 18, 2015

Date